



AF/2126

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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>POU920000201US1</b>	
Applicant(s): <b>J. Kubala et al.</b>					
Serial No. <b>09/801,993</b>	Filing Date <b>March 8, 2001</b>	Examiner <b>M hammed A. Siddiqi</b>	Group Art Unit <b>2126</b>		
Invention: <b>INTER-PARTITION MESSAGE PASSING METHOD, SYSTEM AND PROGRAM PRODUCT FOR MANAGING WORKLOAD IN A PARTITIONED PROCESSING ENVIRONMENT</b>					
<b>RECEIVED</b>					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
MAY 17 2004					
Technology Center 2100					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	43 -	43 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	4 -	4 =	0 x	\$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<div><input checked="" type="checkbox"/> No additional fee is required for amendment.</div> <div><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</div> <div><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</div> <div><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>09-0463</b><div><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</div><div><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div></div>					
 Signature			Dated: <b>May 12, 2004</b>		
<b>John E. Campbell, Agent Reg. 52,687</b> <b>IBM Corporation</b> <b>Intellectual Property Law</b> <b>2455 South Road, P386</b> <b>Poughkeepsie, NY 12601</b> <b>(845) 433-1156</b> <b>Fax: (845) 432-9786</b>			<div>I certify that this document and fee is being deposited on <b>May 12, 2004</b> with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</div> <div style="text-align: center;"> Signature of Person Mailing Correspondence</div> <div style="text-align: center;"><b>Susan L. Nelson</b> Typed or Printed Name of Person Mailing Correspondence</div>		
CC:					



## IN THE U.S. PATENT &amp; TRADEMARK OFFICE

Applicant: Kubala et al. : GROUP ART UNIT 2126  
Serial No. 09/801,993 : Examiner Mohammad A Siddiqi  
Filed: 03/08/2001 : May 12, 2004  
Title: INTER-PARTITION MESSAGE : John E. Campbell  
PASSING METHOD, SYSTEM AND : Intellectual Property Law  
PROGRAM PRODUCT FOR MANAGING : 2455 South Road, P386  
WORKLOAD IN A PARTITIONED : Poughkeepsie, NY 12601  
PROCESSING ENVIRONMENT :

RECEIVED

MAY 17 2004

Technology Center 2100

Commissioner for Patents  
P.O. Box 1450  
Alexandria Va. 22313-1450

## INTERVIEW

Sir:

Agent gratefully acknowledges the helpful telephone interview with the examiner and his supervisor John Follansbee 2:00 p.m. on May 5, 2004 .

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope address to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 12, 2004

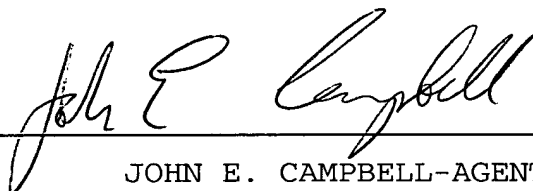
Susan L. Nelson  
Susan L. Nelson

5/12/04  
Date of Signature

The applicant respectfully showed that the prior art references did not express or imply any throughput information as shown in the claims. Furthermore, the reference cited did not express or imply conveying throughput information to a partition operating system or using the throughput information to create resource balancing directives.

The examiner agreed to review his citation and in a followup telephone interview on May 10, 2004, the examiner stated the finality of the office action would be withdrawn if the applicant restated his argument in an amendment.

RESPECTFULLY SUBMITTED

BY: 

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